

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

Cause No. 2:12-cv-00183-PJK-LAM

SHARLOTTE ZINGERMANN,

Defendant.

CONSENT JUDGMENT

This matter comes before the Court on the agreement of the parties, the Court being fully informed in the premises, and Defendant SHARLOTTE ZINGERMANN, not claiming that she is disabled as that term is used in Federal Employees Compensation Act, 5 U.S.C. §§ 8101, et seq. ("FECA"), 5 U.S.C. § 8937 (disability retirement), or otherwise, as a result of any on-the-job injury she received while employed by the United States Postal Service, and that she does not claim that she is entitled to wage-loss compensation of any kind due to disability under any federal statute; and it appearing that the parties agree and consent to a judgment as set forth herein, all pursuant to a Settlement Agreement executed by the parties.

IT IS ORDERED, ADJUDGED AND DECREED THAT JUDGMENT be and hereby is entered against Defendant SHARLOTTE ZINGERMANN in favor of the United States of America on the Complaint filed in this case.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT Plaintiff the United States of America recover judgment against Defendant SHARLOTTE ZINGERMANN, in the principal amount of \$50,000.00 in accordance with the terms of the Settlement Agreement. Interest shall run on the unpaid portion of this judgment at the rate

specified in 28 U.S.C. §1961.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT

Defendant SHARLOTTE ZINGERMANN shall never make a claim for disability compensation for any on-the-job injury she sustained while working for the Postal Service pursuant to ("FECA"), 5 U.S.C. § 8887 (disability retirement), or any other federal law providing benefits due to disability. Notwithstanding this Order, Defendant SHARLOTTE ZINGERMANN may apply for and receive medical care or reimbursement for medical care directly related to her on the job injury for which she initially received FECA benefits as provided under 5 U.S.C. § 8102.

In order to resolve any disputes that may arise during the performance of this Consent Judgment, this Court retains jurisdiction over this case during the period in which this Consent Judgment will be performed. Once this Consent Judgment has been satisfied and performed, the parties shall file a notice of same with this Court.

June 6, 2013

/s/ Paul Kelly, Jr.
PAUL J. KELLY JR.
UNITED STATES CIRCUIT JUDGE
SITTING BY DESIGNATION

APPROVED:
KENNETH J. GONZALES
United States Attorney

HOWARD R. THOMAS and RUTH FUESS KEEGAN
Assistant U.S. Attorneys
Dated: 06-05-13

Charlotte Z. Zingerman
SHARLOTTE ZINGERMANN
Dated: 6-4-13